

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Victoria Bibbs,	)	
Plaintiff	)	C.A. No 04-349Erie
v.	)	District Judge Cohill
Bradley Foulk, et al.	)	Magistrate Judge Baxter
Defendants	)	

**NOTICE OF OBJECTION**

**COMPLAINT'S QUESTION OF ORDER AND  
OBJECTION TO THE MAGISTRATE JUDGES REPORT  
AND RECOMMENDATION**

**I. COMPLAINT**

**On the commencement of this civil action all the requirements were ascertained, wherein that all relevant documentations were presented and served upon the defendants through and by their counsel.**

**All documents were presented in a timely manner, and given the litigant's proper time to respond.**

**The attitude that of refusing to follow the rule of court procedures was prevalent, followed by behavior with attempts to overrule the court's Local rule of court proceedings, rules and regulations , they were assured that the**

**things which goes on in Erie's Common Plea Court would not be tolerated.**

## **IMPORTANCE OF RULES**

### **SEC.1**

#### **THE IMPORTANCE OF ADHERING TO RULES**

**Mr. ONSLOW, the ablest among the Speakers of the House of Commons, used to say, "it was a maxim he had often heard, when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding: that these forms, as instituted by our ancestors, operated as a check and controul on the actions Of the majority; and that they were in many instances, a shelter and protection to the minority, against the attempts of power' (unquote).**

### **THEREFORE**

**They were given notice to their violations of the acts of the assembly, congress and the U.S Constitution. Cf**

## **II. QUESTION OF ORDER**

**There is a question on the floor, asking for restraint of the activity conducted before the courts, by and through the litigants counsel.**

**Would it not be polite to respond to the complaints notice, request and motions before moving on to answer a counterclaim which has no validation what so ever?**

**Is there a valid ground for relief for the litigant?**

**SINCE THE RULE OF GOVERNMENT HAS  
SPOKEN TO ENLIGHTEN US SHOULD WE NOT OBEY?**

**IN LIGHT OF ALL THAT AND THIS**

**Will the complaint be regarded as that of improper venue or lack of merit and handled as a "breach of privilege"?**

**Has justice been a mockery by the deliberate violators?**

**Will we stand by and do nothing so that it can happen?**

**Is this the meaning of with liberty and justice for all?**

**My next question is for all who is "liberty and justice and the pursuit of happiness apply?**

**III.        Jurisdiction**

**A. Question of proper venue**

**The counter claim claim's that they appeared before the summit and docket their statement in a timely manner**

**According to the courts record the litigants attorney showed up late, court was in session, the courts waited for a respond, time was given for the attorney to**

**represent his claim properly without delay before the default judgment goes into effect.**

**The litigants and counsel lacks venue in this court according to the rules of local proceedings**

**This courts has deemed it improper to hear, rule or even attend such a mockery trail for justice against all that the constitution stands for and represent unbelievable**

**The U.S Constitution seems to be the target of all terrorist attacks, to tear down all that the forefathers worked to establish,**

**Not on my watch, for if the decision makers said the rule stands without rhyme or reason then what say ye – that it's constitutional? Or unconstitutional you decide.**

#### **IV, Facts**

##### **A. Statement of Facts**

**res ipsa oquitur- the thing speaks for itself**

**nemo dat quod non habet – nobody can give what they have not got**

##### **B. The Counsels motion is out of Order**

**When the Counsel was asked to appear before the clerk of custom (prothonotary) for to authenticate said**

**documents and enter into evidence said motion to dismiss**

**When Counsel on said record was asked to endorse presented documents properly, timely and only on court notified consent adjoin another counsel by appointment to perform his duty in his absents was not properly affidavit when summon to do so**

**When Counsel was given legal advise persistently according to Fed. Rule 11.. of how that a 'Representative of the Court should appear, and present document'**

**The counsel ignored the Notice of request.**

**Counsel was and is currently in Default of Judgment of Civil Rights Violation along with defendants, don't you agree? Or has the rule changed?**

**Repeated attempts to reconcile and compel a response went un- heard and ignored without resolution and the problem still remain  
How be it?**

**After such a time, Now comes an Order recognizing the counsels motion and it seems to be taking precedent in a discriminatory appeal with all the intent and purposes it was designed to do and it opposes al the acts and the objections that I understood is opposed by-law, rule and authorities words and commands**

**Now tell me how can I prevail?  
With what?**

**Except, there is an exception to that rule,  
*Nemo dat quod non habet***

**C. To say to the lease, I Object!**

- 1. On the premise of it's unconstitutional legality**
- 2. It's untimely manifesto**
- 3. There is no premise or any relevance that could not possibly be relied on**
- 4. It is unconstitutional in order, form, structure in any way shape or form**
- 5. To approve, give rise to power in various way shape and form is absolutely unconstitutional, unscrupulous in every manner of it's nature and impeachable in every shape and form of the matter so, say the witnesses of doctrines**
- 6. In conclusion of this matter , I now withdraw from this portion of debate and turn myself to more pertinent aspect of the conclusion**

**7/16/2005 11:41:40 AM**

**Now I Come**

**Sunday, July 17, 2005**

**6:10:40 AM**

**To:**

**Redress the counsel for;  
Recovery of Rights to conduct business without  
interference**

**To::**

**An Injunction to restrain from activities that interfere  
and conduct that is contrary to equity**

**And to reconvene**

**before the Counsel the action against the motion to  
dismiss is before first in line to be heard and rule upon  
before ever yours could be brought up, nor can**

**a decision be made against the complaints citation that  
of- Rule 11(a,b,c,l91-4) Attached document (10) also the  
recorded Judgment in this action and of necessity, it  
needs execution- How say ye?**

**Respectfully,**

*Victoria Bibbs, Pro Se*

**Victoria Bibbs, Pro Se**

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**Erie, PA 16509**

**(814) -864-4181**

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy and correct copy of the within Notice/Objection was served upon the above defendants Attorney Counsel on this the 18th day of July, 20 05, via United states first class mail, postage pre-paid in accordance with the Rules of Fed. C.P.

Clerk, U.S. District Court  
South Park Row  
Erie, PA 16501

Matthew J. McLaughlin  
Counsel for Defendants  
246 west Tenth Street  
Erie, PA 16501

Respectfully,



*Victoria Bibbs, Pro Se*

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